

FILED
SCRANTON
JUN 26 2014

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHARLES D. JURBALA,
Plaintiff

v.

UNITED STATES OF AMERICA,
Defendant

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:

CIVIL NO. 3:12-CV-1092

(JUDGE NEALON)


(MAGISTRATE JUDGE CARLSON)

PER 
DEPUTY CLERK

ORDER

NOW, THIS 26th DAY OF JUNE, 2014, for the reasons set forth in the
Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation, (Doc. 30), is **ADOPTED**;
2. Defendant's motion to dismiss, (Doc. 25), is **GRANTED**;
3. The complaint, (Doc. 1), is **DISMISSED without prejudice**;
4. The Clerk of Court is directed to open a new civil action and to file Document 32 as the complaint therein;
5. The Clerk of Court is directed to **CLOSE** this case; and
6. Any appeal will be deemed frivolous, without probable cause, and not taken in good faith.


United States District Judge